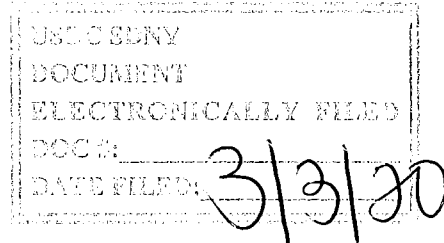


MEMORANDUM ENDORSEMENT

Smith v. Foley,
17 CV 9858 (VB)



The Court attempted to hold a case management conference today, but defense counsel did not appear. In the attached letter of today's date, defense counsel apologizes for his failures to calendar the conference date and notify Great Meadow Correctional Facility, where plaintiff is located, of today's conference so plaintiff could participate. (Doc. #56).

Accordingly, it is HEREBY ORDERED:

The case management conference is adjourned to April 23, 2020, at 10:30 a.m.

The Clerk is instructed to mail a copy of this Order to plaintiff at the address on the docket.

Dated; March 3, 2020
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "V. Briccetti", written over a horizontal line.

Vincent L. Briccetti
United States District Judge



George Latimer
County Executive

Department of Law

John M. Nonna
County Attorney

March 4, 2020

VIA CM/ECF

Honorable Vincent L. Briccetti
United States District Judge
United States Courthouse
300 Quarropas St., Courtroom 630
White Plains, NY 10601-4150

Re: **Letter Motion for Adjournment of Case Management Conference**
Sincere Smith v. Westchester County Jail, et al.,
Civil Docket No. 17-CV-9858 (S.D.N.Y.)

Your Honor,

This Office represents defendant Correction Officer Ryan Foley (s/h/a "Correction Officer Foley Shield No. 1299") (hereinafter, "County Defendant"), the only remaining defendant in this action. (*See* Doc. No. 44 (Order and Opinion), at 10.)

On August 29, 2019, the Court scheduled the next case management conference for today, March 4, 2020, at 9:30 a.m. (*See* Doc. No. 54 (Civil Case Discovery Plan and Scheduling Order in Pro Se Case in Which Local Civil Rule 33.2 Applies) ¶ 12.) I failed to calendar the conference date, and as a result missed today's deadline. I also failed to schedule plaintiff Sincere Smith, a prisoner who is proceeding *pro se*, to appear by telephone conference.

My apologies for wasting the Court's time.

Pursuant to Rule 1.G of this Court's Individual Practice, I respectfully request that the next conference in this matter be adjourned to next Wednesday, March 11, 2020. I am requesting one week to ensure that I have sufficient time to arrange for Plaintiff to appear at the conference telephonically. This is this Office's first request for the adjournment of a case management conference. As set forth above, Plaintiff is a prisoner who is proceeding *pro se*, so I have not had an opportunity to contact him and request this adjournment.

Respectfully submitted,

JOHN M. NONNA
Westchester County Attorney
Attorney for the County of Westchester

/s/ Sean T. Carey
By: Sean T. Carey (SC8804)

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Fax: 914-995-3132



Sr. Assistant County Attorney, of Counsel
148 Martine Avenue, Room 600
White Plains, NY 10601

STC/

Encl.

cc: Sincere Smith (*via Regular Mail*)
Plaintiff, Pro Se
JID No. 18-A-4013
Great Meadow Correctional Facility
P.O. Box 51
Comstock, NY 12821-0051